

# **Exhibit 64**

# **Onisick Deposition**

Daniel Onisick

Pages: 12, 13, 70, 71, 72

Dated: December 22, 2020

Daniel Onisick

Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES JOSEPH FREITAG,	:	
JR., as ADMINISTRATOR of	:	
the ESTATE OF CHARLES	:	
JOSEPH FREITAG, SR.,	:	
Plaintiff	:	
	:	No. 2:19-cv-05750-JMG
VS	:	
	:	
BUCKS COUNTY; PRIMECARE	:	
MEDICAL, INC.; STEPHAN	:	
BRAUTIGAM, PMHNP;	:	
JESSICA MAHONEY, PSY.D;	:	
AVIA JAMES, LPC;	:	
CHRISTINA PENGE, LPC;	:	
JOHN DOES 1-10,	:	
Defendants	:	

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ZOOM DEPOSITION OF DANIEL ONISICK

DATE AND TIME: December 22, 2020, 9:34 a.m.

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Daniel Onisick

Page 12

1 the chief has his own office. That's correct.

2 Q. Okay. Besides the investigative  
3 reports that you described reviewing, is there  
4 anything else you looked at?

5 A. Well, our case file has everything. It  
6 has video, photos, officer memos. You know, we  
7 collect everything involving the investigation.

8 So, yeah, I perused the videos, looked  
9 at the pictures again, just to familiarize myself  
10 again with the case.

11 Q. I'm sorry to have interrupted you.  
12 Which portion of the videos did you watch?

13 A. I watched the video with Mr. Freitag  
14 coming out of his cell, getting his medication,  
15 returning to his cell, and then up until the -- the  
16 inmate, I believe, was Monachelli, up until he --  
17 he, you know, found Mr. Freitag in his cell.

18 Q. All right. Did you watch it on regular  
19 speed?

20 A. Well, I didn't watch the entire thing.  
21 I kind of sped up to the -- you know, to the parts  
22 that I thought were pertinent that I needed to look  
23 at.

24 Q. Okay. By the way, I believe that we  
25 have -- we meaning the lawyers in this case -- have

Daniel Onisick

Page 13

1 received the entire investigative file that you  
2 compiled?

3 A. Um-hmm.

4 Q. Just to confirm, did you turn over the  
5 entire investigative file to your attorneys in the  
6 case?

7 A. Not me, personally. I think the chief  
8 investigator probably did that.

9 Q. Okay. Are you aware of any materials  
10 that were withheld or that were not provided to  
11 your counsel?

12 A. No, I'm not.

13 Q. Okay, all right. Let me just throw a  
14 couple of other things out there that you may have  
15 looked at.

16 Have you seen the complaint that was  
17 filed in this case by my client, Mr. Freitag?

18 A. No, I have not.

19 Q. Have you seen any information about  
20 Mr. Freitag's court proceedings?

21 A. No, no, nothing other than what I've  
22 heard about the proceedings.

23 Q. Gotcha, okay. One final question that  
24 I can guess your answer, but let me ask it anyway.

25 Have you reviewed any of the medical

Daniel Onisick

Page 70

1           Q.       Let me highlight this text here, and  
2   I'll just read it into the record.

3                   The question was -- and for the benefit  
4   of the record, this text in the memorandum is  
5   referring to a question raised at the meeting.

6                   The question was, did the investigator  
7   look into the watch issue and check with the module  
8   officers to see if the watch was put into place.

9                   First things first. Would you be, Mr.  
10   Onisick, the quote-unquote investigator responsible  
11   for this case?

12           A.       For the Freitag case, yes.

13           Q.       Okay. With that as background then, do  
14   you remember Mr. Bochenek -- strike that.

15                   Did Mr. Bochenek ever come and ask you  
16   whether you looked into the watch issue and checked  
17   with the module officers about the watch?

18           A.       Again, I wouldn't be able to remember  
19   that. So I can't answer it, but I would say I just  
20   don't remember if he did or not.

21           Q.       All right. Let me highlight more text  
22   here.

23                   Let's see. On the sixth paragraph  
24   down, the first sentence reads, in a follow-up  
25   investigation it was learned that there was no

Daniel Onisick

Page 71

1 Level 3 watch sheet prepared.

2 A. Um-hmm.

3 Q. Do you know what that means?

4 A. Um, well, I don't know who did the  
5 follow-up on this.

6 Q. Okay.

7 A. I guess the chief did.

8 Q. And that really should be my first  
9 question.

10 Do you recall being contacted or  
11 informed about any follow-up investigation as  
12 described here in this memorandum?

13 A. No, no, I was not.

14 Q. All right. And do me a favor, sir.  
15 Just read this entire paragraph that I've  
16 highlighted to yourself.

17 A. Okay. Okay.

18 Q. Okay. First question, the text here  
19 that I've highlighted about whether an inmate  
20 monitor was observed checking on the inmate, did  
21 you learn about anyone reviewing the video to  
22 answer that question?

23 MR. KOLANSKY: At what point?

24 MR. FEINBERG: Well, at any point.

25 BY MR. FEINBERG:

Daniel Onisick

Page 72

1 Q. Well, at any point -- and I'm not  
2 including any discussions you had with your  
3 counsel.

4 At any point before November -- or  
5 before December of this year, do you recall  
6 learning about the fact that someone looked into  
7 whether there was an inmate monitor checking on  
8 Mr. Freitag?

9 A. No, I did not. I only knew about this  
10 once the deposition came that, you know, recently.

11 Q. Okay. Do you know, one way or the  
12 other, whether there was an inmate monitor checking  
13 on Mr. Freitag?

14 A. I do not know, other than watching  
15 the -- like I said, reviewing the video, I don't  
16 know, you know.

17 I didn't see an inmate monitor, but,  
18 no, I wouldn't be able to tell you if an inmate  
19 monitor was specifically assigned to look at him or  
20 to watch him.

21 Q. All right. This next sentence that  
22 I've highlighted here, sir, refers to the cell  
23 being unlocked, which from context appears to be  
24 part of whatever precautionary measures were in  
25 place.





